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and Kelly Chang Rickert*

**Local Counsel*

***Admitted pro hac vice*

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Christopher Kohls,

Plaintiff,

v.

Robert A. Bonta, et al.,

Defendants.

Civil No. 2:24-cv-02527-JAM-CKD

Notice of Related Case

Judge John A. Mendez

1 1. Pursuant to Local Rule 123, Plaintiffs notify the Court of the following re-
2 lated case: *The Babylon Bee, LLC v. Bonta*, Case No. 24-cv-2787, filed Sept. 30, 2024. This
3 notice of related case has also been filed in *The Babylon Bee*.

4 2. *The Babylon Bee* shares many similarities with this case. Both cases involve
5 the same defendants: Rob Bonta and Shirley N. Weber. Both cases involve similar claims
6 against the same California laws: First and Fourteenth Amendment claims against AB
7 2839 and AB 2655. Cal. Const. art. V, § 13; Cal. Elec. Code § 20516. Both cases involve
8 plaintiffs who want to engage in speech prohibited by AB 2839, including some of the
9 same speech. *Compare* V. Compl. ¶¶ 5–7, *Kohls v. Bonta*, No. 24-cv-2527 (Sept. 17, 2024),
10 ECF No. 1 (describing fictitious Kamala Harris campaign ad), *with* V. Compl. ¶¶ 119–21,
11 *The Babylon Bee*, ECF No. 1 (describing same fictitious ad). Both cases involve similar
12 questions of law too: whether AB 2839 and AB 2655 unconstitutionally regulate the
13 speech of everyday citizens and organizations who want to speak about the upcoming
14 presidential election. *Compare* V. Compl. ¶¶ 4–16, *Kohls*, ECF No. 1, *with* V. Compl. ¶¶
15 1–6, *The Babylon Bee*, ECF No. 1.

16 3. Plaintiffs in *The Babylon Bee* initially filed their action in the Central Dis-
17 trict of California. The Central District Court recognized that these two cases “involve[]
18 substantially similar issues and parties.” Min. Order, *The Babylon Bee*, ECF No. 15.

19 4. This Court granted an injunction in *Kohls*, enjoining AB 2839 for being a
20 content-based regulation of speech that violated the plaintiff’s First Amendment rights.
21 Plaintiffs *The Babylon Bee, LLC*, and Kelly Chang Rickert seek the very same relief in
22 their pending motion for a preliminary injunction. Appl. TRO or Mot. Prelim. Inj. 1–4,
23 *The Babylon Bee*, ECF No. 12.

24 5. After this Court issued the preliminary injunction, the Central District
25 transferred *The Babylon Bee* to the Eastern District because “the balance of factors fa-
26 vor[ed] transfer” and transferring the case would “serve the interests of justice and the
27 convenience of the parties and witnesses.” Order, *The Babylon Bee*, ECF No. 33.

1 6. Given the significant overlap between these two cases in questions of fact,
2 law, and requests for relief, and given that Judge Mendez has already ruled on the legal
3 issues presented in Plaintiffs' motion for preliminary injunction, assigning this action to
4 Judge Mendez will likely save substantial judicial and party resources.

1 DATED: October 16, 2024

2 s/ Johannes Widmalm-Delphonse
3 Johannes Widmalm-Delphonse
4 Counsel for Plaintiffs

5 **PROOF OF SERVICE**

6 I hereby certify that I filed a true and accurate copy of the foregoing document with
7 the Clerk of Court using the CM/ECF system, which automatically sends an electronic
8 notification to all attorneys of record.

9 DATED this 16th day of October, 2024.

10 s/ Johannes Widmalm-Delphonse
11 Johannes Widmalm-Delphonse
12 Counsel for Plaintiffs
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